

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 06-CR-326

-vs-

AARON S. ANDRACEK,

Defendant.

ORDER

The defendant, Aaron S. Andracek (“Andracek”), appeals Magistrate Judge Goodstein’s Recommendation to this Court denying his motion to suppress evidence and statements. The Court has read the transcripts of the evidentiary hearing, read the briefs submitted by the parties on appeal, reviewed other documents, and read, of course, the Magistrate Judge’s Recommendation to this Court. Based upon the Court’s consideration of the above, it rules as follows. The Court adopts the Magistrate Judge’s Recommendation.

The Court agrees with Magistrate Judge Goodstein’s interpretation of the law and evidence that led to the conclusion that the government met its burden of proof under the totality of the circumstances in showing that Andracek voluntarily consented to not only the search but also the subsequent seizure of his computer. In addition, this Court agrees with the Magistrate Judge’s conclusion that the statements made to the law enforcement officers were voluntary.

**NOW, THEREFORE, BASED ON THE FOREGOING IT IS HEREBY
ORDERED THAT:**

1. The Court adopts the Recommendation of Magistrate Judge Goodstein; and
2. Andracek's motion to suppress is **DENIED**.

Dated at Milwaukee, Wisconsin, this 30th day of May, 2007.

SO ORDERED,

s/ Rudolph T. Randa
HON. RUDOLPH T. RANDA
Chief Judge